

# In the Supreme Court of the State of Idaho

IN RE: IDAHO COURT )  
ADMINISTRATIVE RULE (I.C.A.R.) 27 ) ORDER  
\_\_\_\_\_ )

The Court having reviewed a recommendation from the Administrative Conference to amend Idaho Court Administrative Rule 27, and the Court being fully informed;

NOW, THEREFORE, IT IS HEREBY ORDERED, that Idaho Court Administrative Rule 27 be, and is hereby, amended as follows:

**Rule 27. Attendance of court reporters in district court -- Electronic recording of proceedings -- Transcripts.**

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(f) **Estimate of Reporter's Fees - Filing.** Upon the conclusion of any trial in the district court, or proceeding in an administrative agency, the reporter shall estimate the cost of preparing a transcript of the trial or proceeding and shall certify the amount thereof in writing which shall be delivered to the clerk and filed in the file of the action or proceeding. In the event the reporter fails to so estimate the fees for a transcript within two (2) days from the conclusion of the trial or proceed the estimated fees for preparation of the transcript shall be deemed to be the sum of \$200.00 ~~\$100.00~~, unless the reporter shall thereafter file the reporter's estimated fees before the filing of a notice of appeal; provided, the reporter's estimated fee may be included in the minute entry of the hearing or proceeding or stamped or endorsed thereon.

(g) **Request for official transcript.** A request for an official transcript of a district court proceeding under this rule must be in writing, submitted to the court reporter or clerk of the district court, and provide substantially the following information: date of request; the proceeding, or portion thereof, to be transcribed; whether the requestor desires that the transcript be expedited; and the requested completion date. The transcriber shall notify the person requesting the transcript of the estimated date of its completion and the fee. Unless other arrangements are made with the approval of the district court reporter or district court clerk, the transcriber's fee shall be paid in full before delivery of the transcript to the person requesting it. Compliance with deadlines for the preparation of transcripts of proceedings for an appeal takes precedence over the preparation of transcripts made for any other purpose.

(h) **Emergency assistance.**

(1) Unanticipated absence of a court reporter. In those situations where a court reporter is not available due to an unanticipated absence such as death, illness, or temporary absence of a court reporter, and after a good faith effort a replacement cannot be found, the presiding judge may, with or without a stipulation of the parties or their counsel of record, order the recording of any proceedings listed in paragraph (a) to be by electronic recording as the official court record until such time as the emergency unanticipated absence has passed.

(2) Anticipated absence of a court reporter. In those situations where a court reporter is not available due to an anticipated absence, including a vacancy in a court reporter position which has not been staffed pursuant to I.C. Section 1-1101, the Administrative District Judge of the affected judicial district by written Administrative Order, may suspend application of paragraph (a) and (h)(1) of this rule and order the recording of any or all proceedings listed in paragraph (a) to be by an electronic recording in accordance with paragraph (c) as the official court record until such time as the court reporter absence or vacancy has passed.

(i) **Office location and attendance.** District court reporters shall be available during regular office hours. The administrative district judge or designee may authorize a court reporter to work from an alternate location during regular office hours, provided the court reporter is available for court proceedings and may be contacted via a telephone or a call- in system approved by the administrative district judge to report to court.

IT IS FURTHER ORDERED, that this order shall be effective on the 1 day of

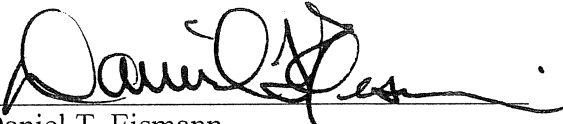
May, 2010.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rule by lining through them is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through shall not be considered a part of the permanent Idaho Court Administrative Rules.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 29 day of March, 2010.

By Order of the Supreme Court



Daniel T. Eismann  
Chief Justice

ATTEST:



Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court of the State of Idaho, do hereby certify that the above is a true and correct copy of the Order entered in the above entitled cause and now on record in my office.  
WITNESS my hand and the Seal of this Court 3/29/10

STEPHEN W. KENYON

Clerk

By: 

Deputy